

REMARKS

A telephone discussion between the Examiner and Dennis Smid (one of the applicant's undersigned attorneys) was held on January 22, 2008. The applicant and Mr. Smid wish to thank the Examiner for his time and consideration for such discussion.

Claims 2, 7, and 12 have been canceled. Claims 3, 4, 5, 8, 9, 10, and 13-30, and amended claims 1, 6, and 11 are in this application.

Claims 1, 3-6, 8-11, and 13-30 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In explaining this rejection, the Examiner appears to assert that he can not find support for the feature ". . . in which when the cursor is located thereat and prior to a selection of the respective program by the means for enabling" in the independent claims.

As discussed during the January 22 discussion, it is respectfully submitted that the present application provides support for the above-identified feature of the independent claims and, as an example, reference is made to paragraphs 0031 to 0046 (and in particular to paragraphs 0035 and 0039) and Figs. 3 and 4 of the present application. It is respectfully submitted that such portions of the present application indicate that the respective program at which the cursor is currently located is displayed with a color different from the respective colors of the past, present and future programs (or a fourth color), and that such display in a fourth color occurs prior to a selection of the respective program (such as by operating the enter button in step S4 ----as in Fig. 3 and paragraph 0039 of the present application).

Accordingly, it is respectfully requested that the above 112 rejection be withdrawn.

Claims 1, 3, 5, 6, 8, 10, 11, 13, and 15-30 were rejected under 35 U.S.C. 102(a) as being anticipated by Panasonic.

Amended independent claim 1 recites in part the following:

"means for enabling a user to select a program for programming a recording of the program or for watching or listening to the program,

in which a respective representation of a respective program is displayable in a fourth color which is different from said first, second, and third colors when the cursor is located thereat and prior to a selection of the respective program by the means for enabling." (Emphasis added.)

Accordingly, in claim 1, the enabling means may enable a user "to select a program for programming a recording of the program or for watching or listening to the program." As a result, in claim 1, a respective representation of a respective program may be displayable in a fourth color (which is different from said first, second, and third colors) when the cursor is located thereat and prior to a selection of the respective program (which may be for programming a recording of the program or for watching or listening to the program) by the means for enabling.

It is respective submitted that the portions of Panasonic relied on by the Examiner in explaining the above 102 rejection of claim 1 do not appear to specifically disclose the above features of claim 1. For example, in explaining in the above 102 rejection with regard to claim 1, the Examiner appears

to assert that the feature "in which a respective representation of a respective program is displayable in a fourth color which is different from said first, second, and third colors when the cursor is located thereat and prior to a selection of the respective program by the means for enabling" of claim 1 is disclosed on page 25 of Panasonic in the section entitled "Recording a Single Upcoming Show 2" by the use of "a solid red dot." (See lines 13-19 of page 6 of the present Office Action.) However, it is respectfully submitted that such portion of Panasonic does not appear to disclose this feature of claim 1. Instead, such portion of Panasonic appears to indicate that the red dot is only placed next to the show after it is selected for recording. The Examiner appears to acknowledge such procedure of Panasonic. In support thereof, reference is made to lines 17-18 of page 6 of the present Office Action wherein the Examiner stated "that upon Selecting a program for recording, a solid red dot is placed . . ." (Emphasis added.)

Therefore, in claim 1, a representation of a program may be displayable in a fourth color "when the cursor is located thereat and prior to a selection of the respective program by the means for enabling" which may be for programming a recording of the program or for watching or listening to the program; unlike the portion of Panasonic relied on by the Examiner wherein a red dot may be displayed only after a selection of a program for recording is made.

Additionally, the Examiner appears to assert that Panasonic discloses that a show selected for recording can be further selected to change recording options. As such, the Examiner asserts that since the red dot is displayed prior to "further selections" that such arrangement is the same as the above feature of claim 1. (See lines 9-17 of page 3 of the present Office Action.) It is respectfully submitted that in such arrangement of Panasonic the red dot is displayed only

after a selection is made and is not displayed prior to making a selection as in claim 1.

Accordingly, it is respectfully submitted that claim 1 as presented herein is distinguishable from Panasonic as applied by the Examiner.

For reasons similar or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that independent claims 6 and 11 as presented herein are distinguishable from Panasonic as applied by the Examiner.

Claims 3, 5, 8, 10, 13, and 15-30 are dependent from one of the independent claims and, as such, are also distinguishable from Panasonic as applied by the Examiner for at least the reasons discussed above.

Claims 4, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic in view of Lemmons.

Claims 4, 9, and 14 are dependent from one of the independent claims and are also distinguishable from Panasonic as applied by the Examiner for at least the reasons discussed above. The Examiner does not appear to have relied upon Lemmons to overcome the above described deficiencies of Panasonic. As such, claims 4, 9, and 14 are believed to be distinguishable from the applied combination of Panasonic and Lemmons.

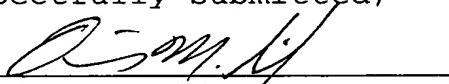
As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-

5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: January 22, 2008

Respectfully submitted,

By 

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